

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**February 22, 2006**

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, Acting P.J., Vogel (Miriam A.), J., Rothschild, J. and P. Gonzalez,  
Deputy Clerk.

In open court Mallano, Acting P.J. announces that Spencer, P.J., is not present, but will listen to the CD recording of the oral argument. Those counsel not wishing to waive her presence, should so state, at the calling of their case.

B181341      Gallardo v. Vigil et al.

Argument waived, cause submitted.

B178027      Azirian v. Ma

Argument continued to March 22, 2006.

B183110      Grand Central Recycling & Transfer Station  
v.  
Universal Waster Systems, Inc.

Merits:

Argued by Michael B. Montgomery for respondent and by Madison S.  
Spach, Jr. for appellant. Cause submitted.

DIVISION ONE (Continued)

B177656     Joseph R. Perrera et al.  
                 v.  
                 Eva Windsor et al.

Merits:  
Argued by Dale K. Galipo for appellants and by Andrea L. Rice for respondents. Cause submitted.

B176551     Jennifer A. Spring  
                 v.  
                 Ralphs Grocery Company

Merits:  
Argued by Ben Hecht for respondent and by Henry D. Lederman for appellant. Cause submitted.

B165647     John R. Wilson et al.  
                 v.  
                 James Black et al.

Merits:  
Argued by David P. Weilbacher for appellants, by Michael A. Colton for respondents Black et al., by respondent Andrew M. Wallet in propria persona, and by Stephen J. Tully for respondent Drake. Cause submitted.

B175530     Nora Armenta (qui tam) et al.  
                 v.  
                 Mueller Co., et al.

Merits:  
Argued by Eric M. Havian for appellants, by Charles L. Kreindler for respondent Mueller Co., and by David S. McCuish for respondent Watts Industries. Cause submitted.

DIVISION ONE (Continued)

B175018 Jimetta Moore  
B177980 v.  
Avaya Inc., et al.

Merits:

Argued by Melanies E. Lomax for appellant and by Wendy A. Woldt for respondents. Cause submitted.

B181471 Richard C. Sanchez  
v.  
Board of Civil Service Commissioner of the City of Los Angeles,  
Andrew Adelman et al.

Merits:

Argued by Jeffrey P. Cunningham for appellant, by Chike Onyia for respondent City of Los Angeles, etc., and by Christine T. Hoeffner for real parties in interest and respondents Adelman, et al. Cause submitted.

Court adjourned.

B180893 People (Not for Publication)  
v.  
Jason V.

The order of wardship is vacated and the cause is remanded to the juvenile court with directions to resentence Jason and, in doing so, to state its reasons for the term of confinement. In all other respects, the order is affirmed.

Vogel (Miriam A.), J

We concur: Mallano, Acting P.J.  
Rothschild, J.

## DIVISION TWO

B184095 People (Not for Publication)  
v.  
Daggett

### The Court:

The judgment is modified to reflect 164 days of conduct credit and a total of 492 days of presentence credit. In all other respects, the judgment is affirmed.

Doi Todd, Acting P.J., Ashmann-Gerst, J., Chavez, J.

B181658 People (Not for Publication)  
v.  
Brito

### The Court:

Appellant's sentence is reversed, and the matter is remanded with directions to impose a second three-year enhancement under section 11370.2, subdivision (c) or strike the underlying finding and to require appellant to provide his DNA samples (Pen. Code, § 296, subd. (a)(1)). In all other respects, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment accordingly.

Boren, P.J., Doi Todd, J., Chavez, J.

## DIVISION FOUR

B177811      Ingrassia  
v.  
Fortunato

Filed order denying petition for rehearing.

DIVISION FOUR (Continued)

B179325 Premier Medical Management Systems, Inc., et al.  
v.  
California Insurance Guarantee Association, et al.  
  
Filed order denying petition for rehearing.

DIVISION FIVE

B180955 In re: Francisco T (Not for Publication)  
v.  
The People  
Francisco T.,  
  
The judgment is affirmed.

Mosk, J.

We concur: Armstrong, Acting P.J.  
Kriegler, J.

B181280 Peter Klika (Not for Publication)  
v.  
Elie Kanim

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, Acting P.J.

We concur: Mosk, J. (with opinion)  
Kriegler, J.

DIVISION FIVE (Continued)

B187284      Jeffrey O.      (Not for Publication)

v.

Superior Court, Los Angeles County  
(D.C.F.S., r.p.i.)

The petition is denied.

Armstrong, J.

We concur:   Turner, P.J.  
                  Kriegler, J.

DIVISION SIX

B181290      People      (Not for Publication)

v.

Solis

The commitment order is affirmed.

Perren, J.

We concur:   Gilbert, P.J.  
                  Yegan, J.

B182809      People      (Not for Publication)

v.

William M.

The judgment (order committing the minor to CYA) is reversed. The matter is remanded to the juvenile court with directions to set a maximum term of physical confinement at CYA based upon the facts and circumstances of the case. (Welf. & Inst. Code, Sec. 731, subd. (b).) In all other respects, the judgment is affirmed.

Perren, J.

We concur:   Yegan, Acting P.J.  
                  Coffee, J.

February 22, 2006 (Continued)

## DIVISION SIX (Continued)

[illegible]

The judgment (order of commitment) is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Coffee, J.

B179729 People  
v.  
Lagunas

Filed order denying petition for rehearing.

## DIVISION SEVEN

B180323      Wilson  
v.  
20th Century Insurance Co.

Filed order denying petition for rehearing.

February 22, 2006 (Continued)

DIVISION EIGHT

Court convened at 2:00 p.m.

Present: Cooper, P.J., Boland, J., Flier, J. and Emma Jean Amos, Deputy Clerk.

B176239     Silverbrand  
                 v.  
                 County Of Los Angeles

Merits:

Argument presented via teleconference by Peter Silverbrand appellant in propria persona and by Daniel Barer for respondent. Cause submitted.

Court adjourned.

B175787     Leydier et al.,                             (Not for Publication)  
                 v.  
                 Antico

The judgment is affirmed. Respondents shall recover their costs on appeal.

Rubin, J.

We concur: Cooper, P.J.  
                 Boland, J.